

## CHAPTER 1

## DELEGATIONS

## GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

1-30. Freedom of Information

1. **AUTHORITY.** To make initial positive and negative determinations relative to the release of information, waive payment of fees, and extend the date for mailing an initial determination pursuant to the Freedom of Information Act, 5 U.S.C. 552 (FOIA) and EPA Delegation 1-30 from Headquarters.

2. **TO WHOM DELEGATED.** Division and Office Directors, Branch Chiefs, and Section Chiefs, except that the authority to issue initial denials of requests for existing, located records may not be delegated below Division Director or equivalent.

3. **LIMITATIONS.** Initial determination not to release information requires concurrence by the Regional Counsel, Deputy Regional Counsel, or a Branch Chief in the Office of Regional Counsel. Determinations to release information also require concurrence by the Office of Regional Counsel where the information sought is material to an active enforcement case or other matter in administrative or judicial litigation.

4. **REDELEGATION AUTHORITY.** Division and Office Directors have the authority to redelegate all authorities except the authority to issue initial denials of requests for existing, located records; provided that redelegation below the Section Chief level may be made only to EPA employees who have completed the FOIA training offered by the Regional FOIA Officer.

5. **REFERENCES.** EPA Delegations 1-30 and 1-31.

NOTE: Previous Region 5 numbers - 1-1, 1-2, 1-14, 1-14A, 1-14B.